

RESPONSE AND REMARKS

Amendments to the specification are submitted herewith to make minor corrections to the specification; no new matter is added.

In the Office Action, the Examiner rejected Claims 1-9 and 14-18 under 35 U.S.C. §102(b) as being anticipated by Thiel (U.S. Patent No., 5,699,258; "Thiel") (a reference that we previously disclosed). The Examiner rejected Claims 10-13 and 19-21 under 35 U.S.C. §103(a) as being unpatentable over Thiel.

The Examiner's rejections have been carefully considered. Independent Claims 1, 4, 7, 10, 15, and 17 have been amended to more distinctly claim the claimed invention. Dependent Claims 14 and 18 have been cancelled. New dependent Claims 22 and 23 have been added. Reconsideration of the application, as amended, is respectfully requested in view of the following responsive remarks.

REMARKS REGARDING SECTION 102(b) and 103(a) REJECTIONS

It is respectfully asserted that Thiel, whether considered alone or in combination with any other reference of record, does not anticipate, disclose, teach or suggest all of the limitations of the Claims of the present application as amended.

For example, it is respectfully asserted that Thiel, whether considered alone or in combination with any other reference of record, does not anticipate, disclose, teach or suggest all of the limitations of amended independent Claim 1. Specifically, amended independent Claim 1 is directed to a shipping management computer system that is programmed to:

in response to each respective request by each respective particular user of a plurality of users to ship a particular respective parcel, wherein each respective request comprises a first address and a second address, determine a respective potential cross-comparison delivery schedule, said respective cross-comparison delivery schedule comprising a plurality of respective service-specific, carrier-specific delivery schedules to ship the particular respective parcel from the first address to the second address, wherein each respective service-specific, carrier-specific delivery schedule corresponds to a respective particular delivery service of a plurality of delivery services offered by a respective particular carrier of a plurality of

carriers, wherein the respective potential cross-comparison delivery schedule comprises a respective delivery date and a respective delivery time for each respective particular delivery service of the plurality of delivery services offered by each respective particular carrier of the plurality of carriers that would deliver the particular respective parcel, and wherein the shipping management computer system is accessed by each respective particular user via a communications network using a respective user client computer device.

In rejecting the Claims of the present application, the Examiner cited, among other things, a table in the Thiel reference (located in Thiel at Col. 11, lines 1-13), and concluded that Thiel discloses determining a potential cross-comparison delivery schedule comprising a plurality of respective service-specific carrier-specific delivery schedules to ship the particular respective parcel.

As compared to the above-recited limitations of amended independent Claim 1, it is respectfully submitted that nothing in Thiel, including the cited Thiel table, discloses a system programmed to determine a schedule comprising delivery dates and times as claimed by amended independent Claim 1 (and as similarly claimed in amended independent Claims 4 and 7).

It is respectfully submitted that Thiel does not disclose *determination* of a schedule by the Thiel system as compared to the claim by amended independent Claim 1. Rather, according to Thiel, the cited Thiel table is described as a *stored* table (not a schedule *determined* by the system of Thiel) of services and fees of various carriers. Thiel, col. 10, lines 65-67.

Further, it is respectfully submitted that Thiel does not disclose determination of a schedule comprising *delivery dates and times*. Rather, the cited stored Thiel table lists, for five (5) different carriers, such shipping features as Destination Zone, Base Charge, Express Delivery, Added [Express Delivery] Charge, Return Receipt, Added [Return Receipt] Charge, Discount for greater than 100 items, Discount for greater than 1000 items, and Discount for greater than 10000 items. Thiel, col. 11, lines 1-13. No dates or times are listed.

Further, it is respectfully submitted that the cited stored table depicted in Thiel, listing Express Delivery as a setting for each of five carriers, does not constitute a determination of a cross-comparison delivery schedule. That is

because, depending on each carrier's rules, the mere listing of an offering of a delivery service, such as an Express Delivery service, does not necessarily demonstrate any particular date for delivery. For example, if a shipment is initiated on a Friday, a weekend, or a day preceding a holiday, depending on a given carrier's rules regarding Saturday, Sunday, or holiday delivery, the shipment may not be delivered by an Express Service on the day following the date on which the shipment was initiated.

Yet further, it is respectfully submitted that Thiel, including the cited stored Thiel table, does not disclose determination by the Thiel system of a cross-comparison delivery schedule comprising "... a respective delivery date and a respective delivery time for *each respective particular delivery service* of the plurality of delivery services *offered by each respective particular carrier* of the plurality of carriers that would deliver the particular respective parcel ..." as recited by amended independent Claim 1 (and as similarly claimed in amended independent Claims 4 and 7).

Rather, Thiel explains that the stored table is used to perform a mask search *after* the user has already "defined the required services":

The user of the franking machine first defines the required services. This is done by entering the date with regard to the ship-to zone (the destination zone) and the desired additional services such as express delivery (E), return receipt (R), etc. ... In a first selection process, a mask (a first step selection) searches the carriers which offer the desired services.

Thiel, col. 11, lines 15-23.

As compared to determining a cross-comparison schedule comprising a delivery date and time for each respective delivery service offered by each carrier that would deliver a parcel, it is respectfully submitted that Thiel uses the settings in the cited stored table to perform a "fee optimization" to determine the best price. Thiel, col. 11, lines 27-30.

It is respectfully asserted that, as compared to the table disclosed in Thiel, one advantage of a shipping management computer system according to various

embodiments of the subject matter claimed in amended independent Claim 1 is that such embodiments would determine a potential cross-comparison delivery schedule comprising a plurality of service-specific, carrier-specific delivery schedules that each comprise a respective delivery date and a respective delivery time for each respective particular delivery service offered by each respective particular carrier of the plurality of carriers that would deliver the particular respective parcel.

Still further, it is respectfully asserted that Thiel, whether considered alone or in combination with any other reference of record, does not anticipate, disclose, teach or suggest all of the limitations of amended independent Claim 10. Specifically, amended independent Claim 10 is directed to a shipping management computer system that is configured for:

- allowing a user to request a package delivery service by providing shipping specifications;
- receiving said shipping specifications from said user;
- identifying, from a plurality of carriers, a subset of carriers based on said shipping specifications, each of said subset of carriers being capable of satisfying said shipping specifications by providing said package delivery service to said user;
- identifying a first carrier from said subset of carriers and a first set of shipment types provided by said first carrier;
- determining a first set of delivery schedules according to which said first carrier would be able to satisfy said shipping specifications, each one of said first set of delivery schedules corresponding to at least one of said first set of shipment types and comprising a delivery date and a delivery time;
- calculating a first set of service charges by said first carrier, each one of said first set of service charges calculated based upon at least one of said first set of shipment types provided by said first carrier;
- identifying a second carrier from said subset of carriers and a second set of shipment types provided by said second carrier;
- determining a second set of delivery schedules that said second carrier is capable of providing to said user, each one of said second set of delivery schedules corresponding to at least one of said second set of shipment types and comprising a delivery date and a delivery time;
- calculating a second set of service charges by said second carrier, each one of said second set of service charges calculated based upon at least one of said second set of shipment types provided by said second carrier;

displaying to the user said first set of delivery schedules, said first set of service charges, and said first set of shipment types; and simultaneously displaying to the user said second set of delivery schedules, said second set of service charges, and said second set of shipment types.

As compared to the above-cited limitations of amended independent Claim 10, it is respectfully submitted that Thiel does not anticipate, disclose, teach or suggest, for example, "... displaying to the user said first set of delivery schedules, said first set of service charges, and said first set of shipment types; and simultaneously displaying to the user said second set of delivery schedules, said second set of service charges, and said second set of shipment types ..." as recited in amended independent Claim 10. Rather, after performing a mask search after the user has already "defined the required services" as previously cited above (See Thiel, col. 11, lines 15-23), Thiel describes displaying an *optimal* carrier and price along with second and third carrier/price choices, but does not disclose displaying delivery *schedules*.

CONCLUSION

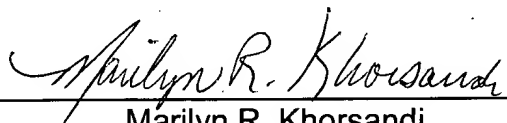
Because, for the foregoing reasons, it is respectfully asserted that Thiel, whether considered alone or in combination with any other reference of record, does not anticipate, disclose, teach or suggest all of the limitations of amended independent Claims 1, 4, 7, and 10 of the present application, it is further respectfully asserted, therefore, that Thiel, whether considered alone or in combination with any other reference of record, does not anticipate, disclose, teach or suggest all of the limitations of dependent Claims 2-3, 5-6, 8-9, 11-13, 15-17, and 19-23.

In view of the foregoing reasons, it is respectfully submitted that the invention disclosed and claimed in the present amended application is not fairly

taught by any of the prior art references of record, taken either alone or in combination, and that the application is in condition for allowance. Accordingly, it is respectfully requested that the present application be reconsidered and allowed.

Respectfully submitted,

KHORSANDI PATENT LAW GROUP, A L.C

By 
Marilyn R. Khorsandi
Reg. No. 45,744
626/796-2856